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APPLICATION NO.	FILI	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,423	03/29/2004		Hugh A. Reilly	24357E USA	1279
23900	7590	04/28/2006		EXAM	INER
J C PATEN		- 0	DONNELLY, JEROME W		
4 VENTURE, SUITE 250 IRVINE, CA 92618				ART UNIT	PAPER NUMBER
				3764	
				DATE MAILED: 04/28/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

S. Patent and Trademark Office TOL-326 (Rev. 7-05)	Office Action Summary	Part of Paper No./Mail Date
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Revi 3) Information Disclosure Statement(s) (PTO-14 Paper No(s)/Mail Date	iew (PTO-948) Paper N	JEROME DONNELLY PRIMARY EXAMINER Ew Summary (PTO-413) No(s)/Mail Date of Informal Patent Application (PTO-152)
* See the attached detailed Office a	action for a list of the certified copies r	not received.
• •	national Bureau (PCT Rule 17.2(a)).	
- 3. Copies of the certified cop	pies of the priority documents have be	en received in this National Stage
2. Certified copies of the price	ority documents have been received ir	Application No

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Art Unit: 3764

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-17, drawn to apparatus, classified in class 482, subclass 907.

II. Claim18-34, drawn to method, classified in class 473, subclass 409.

Inventions Group I and Group II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process as claimed may by using a cane or stick and the apparatus as claimed may be practice with using a cane.

Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

A telephone call was made to Gary Hecht on 4-13-06 to request an oral election to the above restriction requirement, but did not result in an election being made.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (571) 272-4975.

Jerome Donnelly